



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerard T. Kelly, et al.

RECEIVED

Serial No: 10/771,881

Art Unit: 1734

DEC 16 2004

Filed: February 4, 2004

Conf. No.: 3751

OFFICE OF PETITIONS

For: RFID LABEL APPLICATOR AND METHOD OF APPLICATION

Docket: 1017001US1AP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

12/13/2004 PTRICE 00000016 10771881

01 FC:1461

567.00 OF

NOTIFICATION OF LOSS OF SMALL ENTITY STATUS

The Applicant in the above-identified patent application established small entity status in good faith when the application was filed. The lawyers in the law firm of Sand & Sebolt have recently learned through Applicant that Applicant is now a large entity. As Applicant is unsure of the exact date that it became a large entity and because Applicant does not wish to jeopardize its patent applications and patents by having paid insufficient fees for actions taken with respect to its patents and patent applications, Applicant is hereby submitting additional fees to cover any deficiencies with respect to the loss of small entity status

Applicant thus notifies the Office that it has lost its entitlement to small entity status and respectfully requests that any error in claiming the small entity status be excused in accordance with 37 C.F.R. § 1.28(c). Accompanying this request for excuse are an itemization of the payments due and the deficiency payment required